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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,288	12/26/2001	Adam Zadok	0119-010	8181
7590 07/02/2004				
FRELING E. BAKER Suite 203 12625 HIGH BLUFF DRIVE SAN DIEGO, CA 92130		EXAMINER SPISICH, GEORGE D		
		ART UNIT PAPER NUMBER 3616		

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/033,288

Applicant(s)

ZADOK, ADAM

Examiner

George D. Spisich

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7 and 9-20 is/are pending in the application.
- 4a) Of the above claim(s) 9-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/22/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION***Election/Restrictions***

In the previous action, Examiner incorrectly stated that claims 1-4 were generic. This has created a misunderstanding with the non-elected species in the previous restriction requirement. Claim 2 was previously said to claim allowable subject matter and since it was also said to be generic, Applicant appears to have included claims 9-20 which are drawn to a non-elected species since it appears that the Examiner was prepared to allow a generic claim. However, claim 2 is not generic. It reads on only the rear suspension, which is the elected species. In claim 2, the bell crank is connected to the spring at one end and a compensating link at the other, and while pivoted to the vehicle chassis. This structure only appears in the rear suspension. In the front suspension (as shown in Figs. 7 and 8), the bell crank is not connected to the spring. Also, the bell crank is connected to a vertical compensating link (as disclosed). Therefore, only claim 1 was generic.

Given this, the restriction is maintained and claims 9-20 pertain to a non-elected species and will not be examined. Only claims 1-8 (of which 2 and 8 have been cancelled) will be examined in this Action.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 3-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, lines 2-3 are unclear. It appears that this amendment has attempted to merge both the front and rear suspensions. They are independent inventions and claims and claim language should only be drawn to the elected species (the rear suspension). In lines 2-3, Applicant has added "for each pair or laterally spaced wheels". This is claiming more than one pair. Examiner suggests returning to the original claim language which properly claimed only one (the rear) suspension.

Claim 3 is unclear. Claiming that the "compensating link is connected to said axle assembly" is unclear since there are a plurality of axle assemblies claimed in claim 1 and claim 3, by "said axle assembly" is unclear since this only relates to a single axle assembly.

In claim 3, it is not previously claimed that there are a plurality of compensating links claimed. The language in claim 1 does not definitively claim more than one compensating link.

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Claim 5, lines 3-4 is unclear. It is unclear how there is another arm connected to the compensating link and how the compensating link "forms the lower portion of the bell crank"

Claim 6 is unclear. A "plurality" of compensating links have not been positively claimed.

Claim 7 is unclear. There is now claimed "said compensating link" which is back to a single compensating link. However claim 7 depends from claim 6, which appears to be claiming a plurality of compensating links.

Claim 7, line 5 is unclear. Examiner further suggests replacing "at one end" with - - at another end - -.

Allowable Subject Matter

Claims 1 and 3-7 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Prior Art does not show an anti-roll suspension having a bell crank which is connected to one end of a spring and also to a compensating link and pivoted to a chassis and the suspension further having an anti-roll linkage to aid in the transference of lateral forces.

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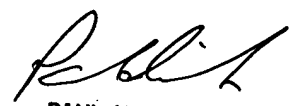
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George D. Spisich whose telephone number is (703) 305-6495. The examiner can normally be reached on Monday to Friday 9:30-7:00 except alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (703) 308-2089. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gds
June 25, 2004


PAUL N. DICKSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

C/2704